IN THE CLAIMS:

1-44. (Canceled)

45. (Currently Amended) A method for determining an identity of a~~n~~ unknown sampled work, said method comprising:

receiving data of ~~a~~ said unknown sampled work;

segmenting said data of said unknown sampled work into a plurality of segments, said segments having ~~predetermined~~ a predetermined segment size and a predetermined hop size;

creating a plurality of signatures wherein each of the plurality of signatures is a signature of one of said plurality of segments and wherein each of said plurality of signatures is of said predetermined segment size and said predetermined hop size;

comparing said plurality of signatures of said unknown sampled work to a plurality of reference signatures of each of a plurality of reference works wherein said plurality of reference signatures of each of said plurality of reference works are created from a plurality of segments of said each of said plurality of reference works having a known segment size and a known hop size and said predetermined hop size of each of said plurality of segments of said unknown sampled work is less than said known hop size; ~~and~~

identifying ~~determining an identity of~~ said unknown sample work responsive to said comparison of said plurality of signatures of said unknown sampled work to said signatures of said plurality of reference works.

46.   (Currently Amended) The method of claim 45, wherein said ~~act of~~ creating a

plurality of signatures of said unknown sampled work compromises calculating segment

feature vectors for each segment of said sampled work.

47.   (Currently Amended) The method of claim 45, wherein said ~~act of~~ creating a

plurality of signatures of said unknown sampled work comprises ~~includes~~ calculating a

plurality of MFCCs for each said segment.

48.   (Currently Amended) The method of claim 45, wherein said ~~act of~~ creating a

plurality of signatures of said unknown sampled work comprises ~~includes~~ calculating a

plurality of acoustical features from the group consisting of at least one of loudness,

pitch, brightness, bandwidth, spectrum and MFCC coefficients for each said segment.

49.   (Currently Amended) The method of claim 45, wherein said unknown sampled

work signature comprises a plurality of segments and an identification portion.

50.   (Currently Amended) The method of claim 45, wherein said plurality of segments

of said unknown sampled work signature comprise a segment size of approximately 0.5

to 3 seconds.

51.   (Currently Amended) The method of claim 50, wherein said plurality of segments of said <u>unknown</u> sampled work signature comprise a hop size of less than 50% of the segment size.

52.   (Currently Amended) The method of claim 50, wherein said plurality of segments of said <u>unknown</u> sampled work signature comprise a hop size of approximately 0.1 seconds.

53.   (Currently Amended) An apparatus that determines an identity of a<u>n unknown</u> sampled work, said apparatus comprising:

        ~~creating a plurality of signatures wherein each of plurality of signatures is a signature of one of said plurality of segments;~~

        <u>a database to store</u> ~~comparing said plurality of signatures of said sampled work to~~ a plurality of reference signatures of each of a plurality of reference works wherein said plurality of reference signatures of each of said plurality of reference works are created from a plurality of segments of said each of said plurality of reference works having a known segment size and a known hop size<u>, wherein</u> ~~and~~ said predetermined hop size of each of said plurality of segment<u>s</u> of said <u>unknown</u> sampled work is less than said known hop size<u>; and</u>

        <u>a processor coupled to the database</u> ~~circuitry configured~~ to receive data of ~~a~~ <u>said</u> <u>unknown</u> sampled work<u>, [[;]]</u> ~~circuitry configured~~ to segment said data of said <u>unknown</u> sampled work into a plurality of segments wherein each of said segments has <u>a</u> predetermined segment size and a predetermined hop size<u>, [[;]]</u> ~~circuitry configured~~ to

create a plurality of signatures of said <u>unknown</u> sampled work based upon said plurality

of segments <u>of said unknown sampled work,</u> ~~and~~ wherein each of said plurality of

signatures is of said predetermined segment size and said predetermined hop size<u>, [[;]]</u>

~~circuitry configured~~ to compare said plurality of signatures of said <u>unknown</u> sampled

work to a plurality of <u>reference</u> signatures of ~~for~~ each of a plurality of reference works

created from a plurality of sample segments of each of said plurality of reference works,

each of said plurality of <u>reference</u> signatures of each of said plurality of reference works

having a known segment size and a known hop size wherein said predetermined hop size

of said each of said plurality of ~~signatures~~ <u>segments</u> of said <u>unknown</u> sampled work is

less than said known hop size<u>, [[;]]</u> and

     ~~circuitry configured~~ to ~~determine~~ <u>identify</u> said <u>unknown</u> sampled work is one of

said reference works based upon said comparison.

54.   (Currently Amended) The apparatus of claim 53, wherein said <u>processor</u> ~~circuitry~~

~~configured~~ to create a <u>plurality of</u> signature<u>s</u> of said <u>unknown</u> sampled work <u>is further</u>

~~compromises circuitry configured~~ to calculate segment feature vectors for each of said

plurality of segments of said <u>unknown</u> sampled work.

55.   (Currently Amended) The apparatus of claim 53, wherein said <u>processor</u> ~~circuitry~~

~~configured~~ to create a <u>plurality of</u> signature<u>s of said unknown sampled work is further to</u>

~~includes calculating~~ <u>calculate</u> a plurality of MFCCs for each said segment.

56.   (Currently Amended) The apparatus of claim 53, wherein said ~~processor~~ <u>circuitry</u>

~~configured~~ to create a <u>plurality of</u> signature<u>s of said unknown sampled work is further</u>

~~includes circuitry configured~~ to calculate one of plurality of acoustical features selected

from a group consisting of loudness, pitch, brightness, bandwidth, spectrum and MFCC

coefficients for each of said plurality of segments of said <u>unknown</u> sampled work[[s]].

57.   (Currently Amended) The apparatus of claim 53, wherein said <u>unknown</u> sampled

work signature comprises a plurality of segments and an identification portion.

58.   (Currently Amended) The apparatus of claim 53, wherein said plurality of

segments of said <u>unknown</u> sampled work comprise said predetermined segment size of

approximately 0.5 to 3 seconds.

59.   (Currently Amended) The apparatus of claim 58, wherein said predetermined hop

size of said plurality of segments of said <u>unknown</u> sampled work signature is less than

50% of the segment size.

60.   (Currently Amended) The apparatus of claim 58, wherein said predetermined hop

size of each of said plurality of segments of said <u>unknown</u> sampled work signature is

approximately 0.1 seconds.

61.   (New) A computer readable storage medium, comprising executable instructions

which when executed on a processing system cause the processing system to perform a

method comprising:

receiving data of an unknown sampled work;

segmenting said data of said unknown sampled work into a plurality of segments, said segments having a predetermined segment size and a predetermined hop size;

creating a plurality of signatures wherein each of the plurality of signatures is a signature of one of said plurality of segments and wherein each of said plurality of signatures is of said predetermined segment size and said predetermined hop size;

comparing said plurality of signatures of said unknown sampled work to a plurality of reference signatures of each of a plurality of reference works wherein said plurality of reference signatures of each of said plurality of reference works are created from a plurality of segments of said each of said plurality of reference works having a known segment size and a known hop size and said predetermined hop size of each of said plurality of segments of said unknown sampled work is less than said known hop size; and

identifying said unknown sampled work responsive to said comparison of said plurality of signatures of said unknown sampled work to said signatures of said plurality of references works.

62.   (New) The computer readable storage medium of claim 61, wherein said creating a plurality of signatures of said unknown sampled work compromises calculating segment feature vectors for each segment of said unknown sampled work.

63.   (New) The computer readable storage medium of claim 61, wherein said creating a plurality of signatures of said unknown sampled work comprises calculating a plurality of MFCCs for each said segment.

64.   (New) The computer readable storage medium of claim 61, wherein said creating a plurality of signatures of said unknown sampled work comprises calculating a plurality of acoustical features from the group consisting of at least one of loudness, pitch, brightness, bandwidth, spectrum and MFCC coefficients for each said segment.

65.   (New) The computer readable storage medium of claim 61, wherein said unknown sampled work signature comprises a plurality of segments and an identification portion.

66.   (New) The computer readable storage medium of claim 61, wherein said plurality of segments of said unknown sampled work signature comprises a segment size of approximately 0.5 to 3 seconds.

67.   (New) The computer readable storage medium of claim 66, wherein said plurality of segments of said unknown sampled work signature comprise a hop size of less than 50% of the segment size.

68.   (New) The computer readable storage medium of claim 66, wherein said plurality

of segments of said unknown sampled work signature comprises a hop size of

approximately 0.1 seconds.